

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

**NATIONWIDE REGISTRY &
SECURITY, LTD.,**

Appellant,

V.

YOURI BEITDASHTOO

Appellee.

1:18-cv-438 (LMB-JFA)

ORDER

Counsel for Nationwide Registry and Security, Ltd. (“Nationwide”) has filed a Motion for Relief from Judgment and Response to Show Cause Order in which he blames his assistant for his failure to file Nationwide’s appellant brief in 1:18-cv-438 within the time set in the scheduling order [Dkt. No. 6], which was issued on May 14, 2018. He completely fails to explain why he failed to file a timely responsive brief in a related bankruptcy appeal, 1:18-cv-183, in compliance with that appeal’s scheduling order [Dkt. No. 5] issued on April 10, 2018, and with an extension of the response time which this Court sua sponte extended to Nationwide on May 14, 2018 [Dkt. No. 10].

Counsel explains that he registered an additional email address for his assistant with the bankruptcy court and assumed that this court was using the same email addresses. In fact, an attorney appearing in this court who wants court notices to be sent to email addresses other than counsel of record's address must register those additional addresses with this court. Counsel failed to do so, and obviously does not read his own email. To have missed three notifications from the Court is simply inexcusable.

As such, the Court finds no basis under Fed. R. Civ. P. Rule 60(b) to grant Nationwide's request for relief from the judgment and for these reasons, appellant's counsel's Motion [Dkt. No. 8] is DENIED.


Counsel's motion explains why he failed to respond to the Court's orders. Although the explanation does not excuse the conduct because lawyers are expected to read the communications they receive from the court, it is sufficient to establish that counsel's conduct does not rise to contempt of court. Accordingly, it is hereby

ORDERED that the show cause hearing scheduled for Friday, June 22, 2018 be and is CANCELLED.

The Clerk is directed to forward copies of this Order to counsel of record and also to file this Order in 1:18-cv-183.

Entered this 19th day of June, 2018.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge